

Prior to Work Commencing

1. Pursuant to s.81A of the Act, the following matters must be satisfied prior to the commencement of work: -
 - (i) obtain a construction certificate from either Council or an accredited certifier; and
 - (ii) appoint a Principal Certifying Authority (and advise Council of the appointment, if it is not the Council).
2. Erosion and sediment controls for the construction works are to be installed and authorised before any site works begin, and be maintained effectively for the duration of the construction works.
3. A licensed plumber and/or drainer shall obtain a permit prior to the commencement of work of water supply and/or sanitary plumbing and drainage.
4. A sign is to be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out stating that unauthorised entry to the work site is prohibited and showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours. The sign is to be removed when the work has been completed. This condition does not apply to building work carried on inside an existing building, or building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is carried out.
5. Toilet facilities are to be provided, prior to the commencement of work, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out.

Facilities are to be provided at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be a standard flushing toilet, and must be connected to a public sewer. If connection to a public sewer is not practicable, then the toilet is to be connected to an accredited sewage management facility approved by the council. If connection to a public sewer or an accredited sewage management facility is not practicable, then connection to some other sewage management facility approved by the council is required.
6. The contractors engaged on the development must maintain public liability insurance cover to the minimum value of \$20 million. The policy shall specifically indemnify Council from all claims arising from the execution of the works. Documentary evidence of the currency of the policy shall be provided to Council prior to the commencement of work and upon request, during the progress of the work.
7. Prior to landscape works commencing, the Landscaping Plans submitted as Appendix J with the Statement of Environmental Effects, shall be revised, submitted and approved by Council. The revised Plan is to include details of

species, planting densities, methodology and placement of landscaping elements relating to:

- Treatment of the grassed overflow parking area to ensure its stability during inundation from flood waters; and
- Treatment of the Jewry Street frontage of the development to ensure adequate screening of the wall and fence and prevention of external lighting spill from the track lighting.

Prior to issue of a Construction Certificate

8. A compliance certificate under Section 306 of the Water Management Act 2000 must be obtained from the Council (as the local water supply authority) prior to the issue of a Construction Certificate. All infrastructure design, including engineering drawings and construction specifications for water and sewer supply (prepared in accordance with Council's Engineering Guidelines for Subdivisions and Developments), must be approved and payments for water and sewer headworks contributions made prior to the issue of the compliance certificate.

The water headworks contribution is \$4271.00

The sewer headworks contribution is \$1779.00

9. An Erosion and Sediment Control Management Plan prepared in accordance with the relevant sections of the Department of Housing Manual "Soil and Water Management for Urban Development", and Council's current Engineering Guidelines for Subdivisions and Developments shall be submitted to and approved by Council with the application for a construction certificate.

The plan shall include :

- (i) Measures to prevent site vehicles tracking sediment and other pollutants from the development site;
 - (ii) Dust control measures;
 - (iii) Control structures such as sediment basins, sediment fences and sediment traps to trap sediment and allow filtered water to pass through;
 - (iv) Safety measures for temporary and permanent water bodies including fencing and maximum batter slopes;
 - (v) Contingencies in the event of flooding.
10. A Construction Management Plan (CMP) shall be prepared by suitably qualified persons which specifically address the haulage route, expected tonnages and vehicle sizes with regard to the importation of fill required for the development. The CMP shall recognise the proposed staging of the development and identify all construction control measures for each stage. The CMP shall also address potential construction impacts on adjoining properties and occupants of those properties including noise and dust control and safety and security measures. The CMP shall be prepared after consultation with Tamworth Jockey Club representatives and be submitted to Council and approved prior to the commencement of any construction works. The nominated haulage route/s are to be located away from residential areas and school zones where possible.
11. Detailed engineering drawings specific to the works, prepared in accordance with Council's Engineering Guidelines for Subdivisions and Developments, are required for the following, as a minimum, to ensure all works are designed and

constructed in accordance with recognised and accepted standards and guidelines:-

- (i) Car park and internal road construction;
- (ii) Signs and line marking; and
- (iii) Stormwater Construction including all water storage and detention within the development site.

The engineering drawings shall be submitted to Council for approval prior to the issue of a Construction Certificate.

All engineering drawings and specifications are to be certified by a Chartered Professional Engineer or a registered Consultancy.

12. Pursuant to Section 68 of the Local Government Act 1993, the following approvals must be obtained from Council prior to the issue of a Construction Certificate:-

- (i) Carry out water supply works;
- (ii) Carry out sewerage works;
- (iii) Carry out stormwater drainage work; and
- (iv) Dispose of waste into a sewer of the Council (Trade Waste).

13. Prior to construction of the kitchen and food sales areas, a plan will be required to be submitted and approved by Council detailing its layout, including location of all equipment, sink locations and wall, floor and ceiling construction details.

General

14. All proposed building, site works or property improvement indicated on the submitted plans or otherwise required under the terms of this consent shall be completed, in accordance with the two stages of development described in the Statement of Environmental Effects for the development, prior to occupation of the premises to ensure compliance with the provisions of the Environmental Planning and Assessment Act, 1979.
15. The development must be carried out in accordance with the Development Application and accompanying plans, drawings and other documents as amended by conditions of this consent.
16. All building work must be carried out in accordance with the provisions of the Building Code of Australia.

Stormwater

17. All roof water and surface stormwater discharging from the proposed development site, buildings and works must be conveyed by underground pipe drains complying with AS3500.3 to the satisfaction of Council. No effluent or polluted water of any type may be allowed to enter the Council's stormwater drainage system.
18. The stormwater discharge drainage system must be constructed to comply with the following requirements as a minimum:-

- (i) All plumbing within the site must be carried out in accordance with relevant provisions of Australian Standard AS/NZS 3500.3 – 2003 Plumbing and Drainage – Stormwater Drainage;
 - (ii) Temporary down pipes shall be connected as soon as the roof has been covered so as to not cause a nuisance to adjoining properties;
 - (iii) All surface flow paths must have a practical and satisfactory destination with due consideration to erosion and sediment control during all stages of development;
 - (iv) Any interruption to the natural overland flow of stormwater drainage which could result in the disruption of amenity, or drainage or deterioration to any other property is not permitted.
19. All developed flows shall be contained on site and discharged through the Taminda Levee at the Flood Gate along Britten Road. Any proposed new outlets under or through the Taminda Levee, shall have flood gates installed in accordance with Council specifications and detailed construction specifications shall be submitted to Council for approval prior to a Construction Certificate being issued. This requirement shall apply to any other alteration to the Levee.
20. The developer shall maintain the existing holding basin at the eastern end of the site and shall provide an additional 20,000m³ of air space below RL372.50m AHD inside the Harness track for the temporary storage of stormwater flows up to and including the 1 in 100 year event from the drainage catchment upstream of the development. The storage shall be able to drain to the existing basin at the eastern end of the site.
21. A culvert that allows the 1 in 100 year flow from the upstream drainage catchment to the temporary storage area inside the harness track shall be designed and constructed under the harness track.
22. A blanket easement to drain water shall be established over the entire area of the site to allow stormwater flows from the upstream drainage catchment to be temporarily stored before draining through the flood gates under Britten Road.

Traffic and Parking

23. All internal driveways, parking areas, loading bays and vehicular turning areas to be constructed with a base course of adequate depth to suit design traffic, being sealed with either asphaltic concrete, concrete or interlocking pavers and being properly maintained to facilitate the use of vehicular access and parking facilities and to minimise any associated noise and dust nuisance. Full details of compliance are to be included on the plans accompanying the Construction Certificate application.
24. All parking bays shall be permanently marked out on the pavement surface and being clearly indicated by means of appropriate signs to facilitate the orderly and efficient use of onsite parking and loading/unloading facilities.
25. The direction of traffic movement within the site shall be clearly indicated by means of suitable signs and pavement markings to ensure that clear direction is provided to the drivers of vehicles entering and leaving the premises in order to facilitate the orderly and efficient use of on-site parking and driveway access and in the interest of traffic safety and convenience.

26. Bollards at 1.5 metre centres and 1 metre off the bitumen seal shall be installed on the southern side of Britten Road between Jewry Street and the entrance to the Jockey Club to prevent vehicles accessing the southern bank of the Taminda Levee to park.
27. "No Stopping" signs shall be installed on the southern side of Britten Road between Jewry Street and the entrance to the Jockey Club.
28. Parking on the bank on the floodplain side of the Taminda Levee (the face generally facing north) is not permitted at any time.
29. The temporary parking area on the northern side of the Taminda Levee shall be established to provide well vegetated ground cover and maintained so as to prevent the area becoming denuded from traffic and becoming a potential liability to the structural integrity of the Taminda levee during floods because of erosion. The proposed access ramp to the overflow parking area shall be two way carriageway in width and be bitumen sealed from Britten Road into the overflow area.
30. All internal driveways, parking areas and vehicle turning areas are to be designed in accordance with the requirements of AS2890.1-2004 "Parking Facilities – Off Street Parking".
31. Relocation of the Canary Island Date Palms shall not be carried out prior to consultation with and approval of Council's Manager Horticulture Services. Such consultation shall include submission by the proponent of details of the proposed method of removal, transport and replanting of the palms by a qualified arborist or other recognised expert in this field. All relocation and transplant costs shall be met by the proponent.

During Construction

32. Work on the project shall be limited to the following hours to prevent unreasonable disturbance to the amenity of the area:-

Monday to Friday – 7.00am to 5.00pm; Saturday – 8.00am to 1.00pm if audible on other residential premises, otherwise 7.00am to 5.00pm;
No work to be carried out on Sunday or Public Holidays if it is audible on other residential premises.

The builder shall be responsible to instruct and control his sub-contractors regarding the hours of work.
33. The drainage service is to be provided with at least one overflow gully - the top level of which shall not be less than 150mm below the floor level of the building and not less than 75mm above the finished ground level to provide for sewerage surcharge outside the building in case of a blockage in the sewer main.
34. To ensure the safety of workers on site and the public, all excavations and backfilling are to be executed safely and in accordance with appropriate professional standards and, properly guarded and protected to prevent them from being dangerous to property or life.

35. A site rubbish enclosure shall be provided on the site for the period of the proposed construction works.
36. A copy of the current stamped approved engineering construction plans and specification must be kept on site for the duration of the works and be made available upon request to either the Principal Certifying Authority or an officer of the Council.
37. The applicant shall ensure that dust suppression is undertaken to the satisfaction of Council, in the form of frequent water spraying or other natural based proprietary dust suppressant, to ensure that dust caused by any vehicles moving within the site does not cause a nuisance to surrounding properties.
38. Stockpiles of topsoil, sand, aggregates, spoil or other material shall be stored clear of any natural drainage path, constructed drainage systems, easement, water bodies, or road surface and located wholly within the site with measures in place to prevent erosion or movements of sediment in accordance with the approved erosion and sediment control management plan.
39. All spillage of materials, as a result of delivery or handling, must be removed as soon as practicable and placed into suitable receptacles for reclamation or disposal in a manner that does not cause pollution of the environment.
40. Open and piped drains, gutters, roadways and access ways shall be maintained free of sediment for the duration of the work. When necessary, roadways shall be swept and drains and gutters cleaned of sediment build up.
41. Britten Road and Jewry Street are not to be used for construction purposes or placing of building materials (without prior consent) to ensure safe and unobstructed access for motorists and pedestrians.
42. Any damage caused to Britten Road, Jewry Street, or the Taminda Levee and associated infrastructure in the vicinity of the development site during building operations shall be rectified to the satisfaction of Council to ensure the integrity of the road and flood mitigation infrastructure is maintained in an acceptable standard.

Inspections

43. As a consent authority under the Water Management Act 2000, the following inspections are required to be carried out by Council. Where Council is not the Principal Certifying Authority, an additional fee for each inspection will apply.
 - (i) Underfloor drainage under hydrostatic test prior to covering;
 - (ii) Internal stackwork under hydrostatic test prior to covering;
 - (iii) Hot and cold water plumbing under pressure test prior to covering;
 - (iv) Sanitary drainage (under hydrostatic test) prior to backfilling trenches or covering;
 - (v) The installation of the Trade Waste Facility prior to backfilling or covering; and
 - (vi) Final inspection of all plumbing and drainage works.
44. Inspections are required to be carried out by Council for works as specified below:-

- (i) Stormwater drainage infrastructure prior to backfilling trenches;
- (ii) Internal roads and car park areas, prior to sealing.

Please note that Council requires a minimum of 24 hours notice to undertake inspections.

Water Supply

- 45. The existing water main extending through the former soccer fields that services the Tamworth Jockey Club shall be terminated at the Jewry Street boundary of the site. Note: Council will construct a new water main along the realignment of Britten Road to reinstate the water service to the Tamworth Jockey Club and provide a water supply to the proposed development.
- 46. A single water service shall be provided to the development at full cost to the developer. The developer will be responsible for determining the fire fighting and domestic water supply demands to identify the required size of the water service to the development.

Work shall be undertaken in accordance with Council's Engineering Guidelines for Subdivisions and Developments. All work on live mains shall be undertaken by Council at full cost to the developer.

Sewer

- 47. The existing sewer main that traverses the former soccer fields shall be terminated at the Jewry Street footpath opposite Avro Street. Note: The existing gravity sewer main is not of a sufficient depth to service the development so a private internal gravity sewer system to a pump station will service on-site amenities. A rising main, from the transfer pump station, shall extend around the south-western perimeter of the site along the Jewry Street footpath to connect to Council's gravity sewer.
- 48. A receiving manhole shall be constructed on the gravity main at the termination of the rising main. Venting of the new sewer manhole, and possible odour control, will be required.

Maintenance of the rising main along Jewry Street shall be the responsibility of the proponent.

Work shall be undertaken in accordance with Council's Engineering Guidelines for Subdivisions and Developments. All work on live mains shall be undertaken by Council at full cost to the developer.

Prior to Occupation

- 49. To ensure that the required fire safety measures are provided in accordance with the buildings use and operate in accordance with the appropriate standards, the owner must cause a copy of a Fire Safety Certificate (Form 15) to be given to the Council and the Commissioner of the NSW Fire Brigades prior to occupation in relation to the Fire Safety Measures required to be installed in the building. A copy of the Fire Safety Certificate including the current Fire Safety Schedule is to be prominently displayed in the building.

Thereafter, the owner must cause Council to be given such a certificate at least once in each period of twelve (12) months after the first certificate.

50. To ensure that the building work is completed in accordance with the approval and is in a safe and healthy condition for use by the occupants, the building (or part of the building in the case of alterations and additions) shall not be occupied or used until -
- (a) it is completed in accordance with the approval and the principal certifying authority has completed a satisfactory final inspection; or
 - (b) the principal certifying authority gives written permission to allow the building to be occupied or used before it is completed.

An occupation certificate may not be issued until all ancillary components to the respective Stage of the development have been completed, including:-

- Landscaping;
- Car parking, access and manoeuvring roads;
- Completion of utility infrastructure in relation to water, sewer and stormwater drainage arrangements.

51. A Plan of Waste Management is to be submitted for approval by Council prior to the commencement of operations for Stage 1. The Plan is to include details of waste storage and collection procedures so as to achieve safe and hygienic conditions.
52. Prior to the issue of an Occupation Certificate for Stage 1, the development site shall be consolidated into a single allotment by registration of a plan of subdivision.

Continued Operations

53. The sealing of all vehicular parking and manoeuvring areas is to be maintained at all times.
54. The pavement markings of all vehicular parking areas are to be maintained at all times.
55. To ensure that the required parking and associated driveways are able to function efficiently for their intended purpose, they shall be maintained clear of obstruction and be used exclusively for the purposes of car parking and vehicle access respectively and under no circumstances are such areas to be used for the storage of goods or waste materials.